

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Nº 38004

Date of filing in State Engineer's Office. APR 24 1979
Returned to applicant for correction. _____
Corrected application filed SEP 5 1979
Map filed SEP 5 1979 under 37876

The applicant KELLY CREEK LAND & CATTLE CO., a partnership
P.O. Box 7362, of Reno,
Street and No. or P.O. Box No. City or Town
Nv 89510, hereby make application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Jim Priddy, Chris Quinn

1. The source of the proposed appropriation is underground
Name of stream, lake or other source.

2. The amount of water applied for is 2.7 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____ acre-feet

3. The water to be used for irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 160 acres

(b) Stockwater (state number and kinds of animals to be watered) _____

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point: in the NW1/4 SE1/4 Sec. 27,

T.37N., R.41E. MDB&M; or a point from which the SE corner of said Sec. 27 bears
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

S.45°E. 1900 ft.
it should be stated.

6. Place of use SE1/4 Sec. 27, T.37N., R.41E. MDB&M
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pump, motor, irrigation system

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$20,000
10. Estimated time required to construct works.....2 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Kelly Creek Land & Cattle Co.
 Pro. filed 3/12/80 by LaVar J. & Lila Rae Murdock
 Pro. filed 3/14/80 by Jo Christison By S/J. R. Caldwell
 Pro. Overruled 5/28/81, See Ruling #2657 p.o. box 432
 Compared bc/bl bt/gk Winnemucca, Nv 89445

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A substantial weir or other type of measuring device must be installed and measurements of water use kept. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before September 9, 1982

Proof of completion of work shall be filed before October 9, 1982

Application of water to beneficial use shall be made on or before September 9, 1984

Proof of the application of water to beneficial use shall be filed on or before October 9, 1984

Map in support of proof of beneficial use shall be filed on or before October 9, 1984

Commencement of work filed..... IN TESTIMONY WHEREOF, I, PETER G. MORROS
 Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed..... my office, this 9th day of SEPTEMBER
 Cultural map filed.....
 Certificate No. Issued..... A.D. 19 81
 Recorded Bk. Page.....
 CANCELLED NOV 17 1983 BECAUSE OF FAILURE
 County Recorder State Engineer